

**MINUTES OF THE COMMITTEE
ON
APPROPRIATIONS**

Tuesday, August 21, 2007

9:00 a.m.

Room 352, State Capitol

The House Standing Committee on Appropriations was called to order by the Chairman, Representative George Cushingberry, Jr.

An Invocation was offered as a moment of silence.

Members present: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs.

Members Absent/excused: Representative Sak.

Representative Cheeks moved to excuse absent members. Representative Acciavatti supported the motion. Without objection the motion prevailed by unanimous consent.

Chairman Cushingberry made opening remarks regarding his return from the legislative trip to Israel. He also announced that Representative Steve Tobocman would be joining the Appropriations Committee as a temporary replacement for Representative Sak

Chairman Cushingberry laid before the Committee HB 4849.

HB 4849	Jackson	Agriculture; pesticides; pesticide applicator fees and administrative fines; increase and earmark to the agriculture licensing and inspection fees fund.
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The Chairman recognized Mitch Bean, Director of the House Fiscal Agency.
Bill Hamilton, Analyst of the House Fiscal Agency gave an overview of the bills.

Representative Espinoza moved to adopt Substitute (H-2) to HB 4849.
Representative Jackson supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

A Testimony card was submitted by the Michigan Farm Bureau.

Representative Espinoza offered the following amendments to HB 4849 substitute (H-2):

1. Amend page 1, line 5, after "\$50.00" by inserting "**UNTIL SEPTEMBER 30, 2012 AND \$10.00 AFTER SEPTEMBER 30, 2012**".
2. Amend page 2, line 1, after "\$50.00" by inserting "**UNTIL SEPTEMBER 30, 2012 AND \$10.00 AFTER SEPTEMBER 30, 2012**".

Representative Hammel supported the motion.

The motion prevailed by a vote 29-0-0.

FAVORABLE ROLL CALL

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Hansen offered an amendment then withdrew his amendment to HB 4849 substitute (H-2).

Representative Espinoza moved to report with recommendation HB 4849 substitute (H-2) as amended, as substitute (H-3).

Representative McDowell supported the motion.

The motion prevailed by a vote of 29-0-0

FAVORABLE ROLL CALL

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Chairman Cushingberry laid before the committee HB 4860.

HB 4860	Condino	Animals; other; pet shop license act; revise fees, create fund, and earmark certain fees and administrative fines to the agriculture licensing and inspection fees fund.
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Representative Espinoza moved to adopt substitute (H-2) to HB 4860.

Representative Spade supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Espinoza offered the following amendments to HB 4860 (H-2):

1. Amend page 1, line 2, after "director." by striking out "**THE**" and inserting "Beginning October 1, 2003 through September 30, ~~2007~~**2012**, the".
2. Amend page 1, line 5, after "year." by inserting "~~Until October 1, 2003 or after September 30, 2007~~**AFTER SEPTEMBER 30, 2012**, the director shall issue a pet shop license upon application and payment of a license fee of \$150.00".
3. Amend page 1, line 9, after "(6)" by inserting "**AND UNTIL SEPTEMBER 30, 2012**".
4. Amend page 2, line 3, after "(3)" by striking out "**A**" and inserting "**UNTIL SEPTEMBER 30, 2012** and except as otherwise provided for in this section, a".

Representative Hansen supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Espinoza moved to report with recommendation HB 4860 substitute (H-2) as amended, as subsubstitute (H-3).

Representative Spade supported the motion.

The motion prevailed by a vote of 28-1-0.

FAVORABLE ROLL CALL

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: Representative Caswell.

PASS: None.

Chairman Cushingberry laid before the committee:

HB 4862 Condino Agriculture; diseases and pests; certain nursery stock fees and administrative fines; revise and earmark to the agriculture licensing and inspection fees fund.

Representative Espinoza moved to adopt substitute (H-5) to HB 4862.

Representative Bauer supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Espinoza offered the following amendments to HB 4862 Substitute (H-5).

1. Amend page 4, line 9, by striking out "**THE**" and inserting "**AFTER SEPTEMBER 30, 2012, THE ANNUAL NURSERY LICENSE FEE SHALL BE \$50.00. UNTIL SEPTEMBER 30, 2012, THE**".

2. Amend page 4, line 12, by striking out "**THE**" and inserting "**AFTER SEPTEMBER 30, 2012, THE ANNUAL LICENSE FEE FOR PLANT GROWERS OR PLANT DEALERS SHALL BE \$20.00. UNTIL SEPTEMBER 30, 2012, THE**".

3. Amend page 4, line 15, after "\$100.00." by striking out "For" and inserting "**UNTIL SEPTEMBER 30, 2012, AND FOR**".

4. Amend page 5, line 24, by striking out "**UP**" and inserting "From October 1, 2003 until September 30, ~~2007~~ **2012**, up".

5. Amend page 6, line 10, after "**(5)**." by inserting "After September 30, ~~2007~~ **2012**, the fund shall no longer exist and the money in the fund shall revert to the ~~general~~ **AGRICULTURE LICENSING AND INSPECTION FEES** fund for use as described in subsection (2)".

Representative Hansen supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Hansen withdrew his amendments to HB 4862 Substitute (H-5).

Representative Espinoza moved to report with recommendation HB 4862 substitute (H-5) as amended, as substitute (H-6).

Representative Lahti supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS:None.

PASS: None.

The Chairman laid before the committee HB 4863.

HB 4863 Johnson	Agriculture; animals; horse riding stable license fees and administrative fines; revise and earmark to the agriculture licensing and inspection fees fund.
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Representative Espinoza moved to adopt substitute (H-2) to HB 4863.

Representative Gonzales supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Espinoza offered the following amendments to HB 4863 Substitute (H-2)

1. Amend page 2, line 5, after “license” by inserting “**UNTIL SEPTEMBER 30, 2012 AND \$25.00 FOR EACH LICENSE AFTER SEPTEMBER 30, 2012**”.

2. Amend page 2, line 13, after “\$50.00” by inserting “**UNTIL SEPTEMBER 30, 2012 and \$25.00 AFTER SEPTEMBER 30, 2012**”.

Representative Hansen supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Hansen withdrew his amendments to HB 4863 Substitute (H-2).

Representative Espinoza moved to report with recommendation HB 4863 substitute (H-2) as amended, as substitute (H-3).

Representative Bennett supported the motion.

The motion prevailed by a vote of 28-1-0.

FAVORABLE ROLL CALL

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: Representative Caswell.

PASS: None.

The Chairman laid before the committee HB 4864.

HB 4864 Johnson	Agriculture; animals; livestock operations license fees and administrative fines; revise and earmark to the agriculture licensing and inspection fees fund.
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Representative Espinoza moved to adopt substitute (H-2) to HB 4864.

Representative Byrnes supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Espinoza offered the following amendments to HB 4864 Substitute (H-2)

1. Amend page 2, line 8, by striking out "(6)" and inserting "(7) AND UNTIL SEPTEMBER 30, 2012".
2. Amend page 2, following line 15, by inserting:
"(3) Subject to subsection (5) and through September 30, 2003 or after September 30, 2007-(7) AND AFTER SEPTEMBER 30, 2012, the only fee the department shall charge and collect for the issuance and renewal of licenses under this section is a fee of \$5.00 for a dealer, broker, or agent license." and renumbering the remaining subsections.
3. Amend page 4, line 19, after "subsection" by striking out "(5)" and inserting "(6)".
4. Amend page 4, line 23, after "subsection" by striking out "(6)" and inserting "(7)".

Representative Hansen supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Espinoza offered the following amendments to HB 4864 Substitute (H-2)

1. Amend page 7, line 16, after the second "of" by striking out "2" and inserting "5".

Representative Hansen supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL:

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS: None.

PASS: None.

Representative Booher withdrew his amendments to HB 4864 Substitute (H-2).

Representative Espinoza moved to report with recommendation HB 4864 substitute (H-2) as amended, as substitute (H-3).

Representative Byrnes supported the motion.

The motion prevailed by a vote of 29-0-0.

FAVORABLE ROLL CALL

YEAS: Representatives Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss, and Nofs.

NAYS:None.

PASS: None.

There being no further business before the committee and seeing no objection, Chairman Cushingberry adjourned the meeting, the time being 10:25 a.m.

Representative George Cushingberry, Jr. Chair

Darlene Moore, Committee Clerk, (517) 373-2994